

OLC 75-1132
21 May 1975

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Senate Government Operations Committee
Staff Members regarding S. 774 and 815; S. 5; and
S. 653, 21 May 1975

1. Met with Paul Hoff and Marilyn Harris, staff members on the Senate Committee on Government Operations, regarding three pieces of legislation of interest to the Agency.

2. I informally covered the Agency's preliminary position on the lobbying bills (S. 774 and 815), on which the full Committee held hearings about a week ago. I stated that the definition of "policy-making process" did not make it clear whether communications from outsiders to the Agency would be covered by the bills. Under a broad interpretation of these bills, I believe they might cover competitive bidding on sensitive Agency projects, and that classified information would thereby be disclosed. I pointed out that the Agency had statutory authorities exempting it from the disclosure of names, titles, functions, etc., of employees. Hoff said that in drafting the bill the Committee had not considered the need for secrecy on some communications from outsiders, but that he thought an exemption along national security lines would develop. He also stated the Committee was in a very early stage of consideration and did not expect any final Committee action until next fall at the earliest. Formal comments on these two bills are now in coordination within the Agency.

3. I also brought up S. 5, Government in the Sunshine Act. Hoff showed me the latest subcommittee version of the bill, and it eliminates our concern with earlier drafts that the bill might be construed to cover CIA. Title 2 of the earlier drafts stated that the bill applied to those agencies "where the body comprising the agency consists of two or more members." The new bill language is "where the body comprising the agency consists of two or more individual members, at least a majority of whom are appointed to such position by the President with the advice

and consent of the Senate." Hoff also said the Committee report would name the agencies to be covered and that certainly CIA would not be one of them.

4. S. 653, Senator Proxmire's proposal to authorize GAO audits of the intelligence agencies, is also before that Committee, and I requested a status report on that bill. Hoff said the Committee has a number of CIA-related bills before it, most of which concern the establishment of a new congressional oversight mechanism. He said the Committee is inclined to let the Select Committee run its course, but that some Senators are getting restless and if the Senate Select Committee extended beyond 1975, he felt the Committee would begin moving on its own.

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Assistant Legislative Counsel

Distribution:

- Orig - SGOC file
- 1 - S. 774/815 file
- 1 - S. 5 file
- 1 - S. 653 file
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